

FILED*10 NOV 02 14:12USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JAMES W. REEVES,
Plaintiff,

Civil No. 09-059-JE

v.

ORDER

MICHAEL J. ASTRUE,
Commissioner of
Social Security,
Defendant.

MARSH, Judge.

Magistrate Judge John Jelderks filed his Findings and Recommendation on October 12, 2010. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles

de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Jelderks' Findings and Recommendation #37. Plaintiff's application for an award of EAJA fees (#34) is GRANTED in part; plaintiff is awarded fees in the amount of \$9,882.68.

IT IS SO ORDERED.

DATED this 2 day of November, 2010.



Malcolm F. Marsh
United States District Judge